

AO 450 (Rev. 5/85) Judgment in a Civil Case ⊕

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UNITED STATES DISTRICT COURT

\*\*\*\*\* DISTRICT OF NEVADA

JAMES CROSS,

Petitioner,  
V.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: **3:08-cv-00403-LRH-VPC**

JAMES BENEDETTI, et al.,

Respondents.

\_\_\_ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

\_\_\_ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**X** **Decision by Court.** This action came to be considered before the Court. The issues have been considered and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that the petition shall be DISMISSED with prejudice as untimely. IT IS FURTHER ORDERED that the petitioner's #8 motion for appointment of counsel is DENIED, as the Court does not find that the interests of justice require the appointment of counsel. Final judgment is entered against petitioner and in favor of respondents, dismissing the petition with prejudice as untimely.

April 2, 2009

**LANCE S. WILSON**  
Clerk

/s/ Kalani Lizares  
Deputy Clerk